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*Attorney for Plaintiff*  
 SINCO TECHNOLOGIES PTE LTD

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD,

Plaintiff,

v.

SINCO ELECTRONICS (DONGGUAN) CO.,  
 LTD.; XINGKE ELECTRONICS  
 (DONGGUAN) CO., LTD.; XINGKE  
 ELECTRONICS TECHNOLOGY CO., LTD.;  
 SINCOO ELECTRONICS TECHNOLOGY  
 CO., LTD.; MUI LIANG TJOA (an  
 individual); NG CHER YONG aka CY NG (an  
 individual); and LIEW YEW SOON aka  
 MARK LIEW (an individual),

Defendants.

Case No. 3:17CV5517

**PLAINTIFF SINCO TECHNOLOGIES  
 PTE LTD'S *SECOND AMENDED*  
 TRIAL WITNESS LIST  
 [TO SERVE AS A REPLACEMENT OF  
 ECF DOC. NO. 488]**

TRIAL DATE  
 November 1, 2021

**PLAINTIFF SINCO TECHNOLOGIES PTE LTD'S  
*SECOND AMENDED* LIST OF FACT AND EXPERT WITNESSES**

Plaintiff, SINCO TECHNOLOGIES, PTE, LTD. ("SINCO" OR "Plaintiff"), identifies the following witnesses whom it may call live or by deposition at trial. This list is not a commitment that Plaintiff will call any particular witness at trial, or a representation that any of the witnesses listed are available or will appear for trial. If any witness is unavailable, Plaintiff reserves the right to use his or her deposition testimony. Plaintiff also reserves the right to call any witnesses listed or called by Defendant, and to revise this list in light of further rulings by the Court or any

other changed circumstances, including but not limited to being notified that a witness is unavailable to be called live at trial.

Pursuant to the Clerk's Notice of **September 29, 2021**, SINCO provides the following list of all witnesses likely to be called at trial, including those appearing by deposition. The following estimates are for time management and may be adjusted hereafter:

WITNESS	SUBJECT MATTER	WILL/ MAY CALL	EST. TIME
<b>SINCO OPENING STATEMENT</b>			<b>1.5 hr.</b>
<b>Minh Nguyen</b>	Background and relationship between SinCo and the defendants. U.S. customer relationships and communications relating to the defendants. Pricing, designing and consulting in development and manufacturing of a product. <i>See</i> Declaration submitted in this action. <i>See also</i> State Deposition August 24, 2018 [ECF 307-66] and Declaration of August 7, 2018. [ECF 307-65]	<b>Will Call</b>	<b>2 hrs.</b>
<b>Mui Liang Tjoa aka ML Tjoa</b>	Authentication of document he produced. Acquisition of majority shares in XINGKE by JinLong Machinery & Electronics Co. Ltd. ("KOTL"). Use of SINCO marks in U.S. Negotiations with SinCo's U.S. customers and the source of their identity and related lead information obtained by XINGKE. Background and relationship between defendant entities and Plaintiff. Plaintiff's U.S. customer relationships and communications relating to the defendants. XINGKE's use of SinCo's U.S. trademarks. XINGKE's hiring of Plaintiff employee engineers based in the PRC and related employment agreements. Pricing and project development. Sales numbers and contracts with U.S. customers. Name Change of Factory and SinCoo.	<b>Will Call<sup>1</sup></b>	<b>1.0 hrs.</b>
<b>Gouki Gao</b>	XINGKE employee testify as to traveling to U.S. and met with Plaintiff customers. Testimony related to escalation of payment terms by XINGKE to Plaintiff, and Plaintiff's request for return of tooling. Name Change of Factory and SinCoo.	<b>May Call</b> May 30, 2019 Video Deposition <sup>4</sup>	<b>.5 hr.</b>

<sup>1</sup> During the **August 24, 2021**, Pretrial meet & confer Defendants' counsel represented witnesses would be available for trial. Plaintiff has relied on that representation, and requests five day's notice if that may change, to provide deposition designations for each witnesses not appearing.

WITNESS	SUBJECT MATTER	WILL/ MAY CALL	EST. TIME
<b>Lim Jit Ming Bryan</b>	Background and relationship between SinCo and the defendants. U.S. customer relationships and communications relating to the defendants. SinCo's goodwill and intellectual property portfolio development in the U.S. market. SinCo employee engineers based in PRC and related employment agreements. Pricing and project development. Sales numbers, contracts and purchase orders with U.S. customers.	<b>Will Call</b> April 5, 2019 Video Deposition <sup>4</sup>	<b>0.5 hrs.</b>
<b>Guanglei Zhang</b>	Acquisition of majority shares in XINGKE by JinLong Machinery & Electronics Co. Ltd. ("KOTL"). Objections to the sale of the Factory by Bryan Lim. Dissolution of Dongguan SinCo Silicon Rubber Producing Co. Ltd. Invalidity of Defendant XingKe Electronics (Dongguan) Co., Ltd.'s trademarks registration for "SinCo" in China. Contrary evidence of Abandonment in China of the "SINCO" marks. Declaration of March 27, 2018 and December 24, 2019. [ECF 307-3]	<b>Will Call</b>	<b>0.5 hr.</b>
Quek Seow Eng	Tooling engineer hired by Plaintiff and stationed at contract manufacturer to develop tooling for U.S. customers.	May Call May 28, 2019 Video Deposition <sup>3</sup>	0.5 hr.
Liew Yew Soon aka Mark Liew	Background and relationship between defendant entities and Plaintiff. Plaintiff's U.S. customer's relationships and communications relating to the defendants. Negotiations with Plaintiff's U.S. customers and the source of their identity and related lead information obtained by XINGKE. XINGKE's use of SinCo's U.S. trademarks. XINGKE's hiring of SinCo employee engineers based in PRC and related employment agreements. Pricing and project development.	May Call <sup>2</sup>	1 hr.
Jerry Yang Darui	Engineer hired by Plaintiff and stationed at contract manufacturer to develop tooling for U.S. customers.	May Call May 29, 2019 Video Deposition <sup>4</sup>	.5 hr.
Ng Cher Yong aka Cy Ng	Authentication of document he produced. Negotiations with Plaintiff's U.S. customers and the source of their identity and related lead information obtained by XINGKE. XINGKE's use of Plaintiff's U.S. trademarks. XINGKE's hiring of SinCo employee engineers based in the PRC and related employment agreements. Pricing and project development.	May Call <sup>2</sup>	.5 hr.
Eric Pang	XINGKE employee testify as to traveling to U.S. and met with Plaintiff customers. Name Change of Factory and SinCoo.	May Call May 31, 2019 Video Deposition <sup>4</sup>	.5 hr.

WITNESS	SUBJECT MATTER	WILL/ MAY CALL	EST. TIME
<b>Dr. Jonathan Chee</b>	Background and relationship between SinCo and the defendants. U.S. customer relationships and communications relating to the defendants. SinCo goodwill and Intellectual Property portfolio development in the U.S. market. SinCo employee engineers based in the People's Republic of China ("PRC") and related employment agreements. Pricing and project development. Sales numbers and contracts with U.S. customers. Infringement and unfair competition by Defendants. "Public records of Jinlong Machinery & Electronics, (KOTL) a publicly traded company in China, which fully owns Xingke Electronics (Dongguan)," as a shareholder in said company. <sup>2</sup> Mr. Chee is also designated as Plaintiff's 30 (b)(6) witness.	<b>Will Call</b>	<b>4.5 hrs.</b>
<b>Dr. Alan Cox</b>	Mr. Cox will discuss his numerous qualifications to be an expert in this case. Generally, Mr. Cox will offer testimony consistent with his written expert report. Expert opinions relating to losses sustained by the Plaintiff based on the Trademark Infringement and unfair competition by Defendants.	<b>Will Call</b>	<b>1.5 hr.</b>
<b>Hui-Hsien (Alison) Chen</b>	Alison Chen will testify that she referred to Defendant Xingke Electronics (Dongguan), as "SINCO," after the purported name change. Alison Chen will also confirm that the Defendant Tjoa and Liew did not use disclaimer after October 2018. Alison will also testify as to use of NDA between Google and Xingke Electronics (Dongguan), and her declaration of January 15, 2021.	<b>Will Call</b> October 5, 2021- Deposition	<b>0.5 hr.</b>
<b>Andy Lim</b>	Andy Lim will testify that he has known Defendant Tjoa since 2009, and that he worked with Tjoa to obtain a contract for Xingke Electronics (Dongguan). Mr. Lim will testify to placing Defendant Tjoa on notice in August of 2016 as to confusion within Google relating to the distinction between Plaintiff and Xingke Electronics (Dongguan).	<b>Will Call</b> October 3, 2021- Deposition	<b>0.5 hr.</b>
<b>SINCO CLOSING</b>			<b>1.0 hrs.</b>
<b>TOTAL TIME</b>		<b>17 hours</b>	

<sup>2</sup> See Tjoa Amended Response to Interrogatories Nos. 5 and 7.

1 **I. SUMMARY OF THEORIES AND CONCLUSIONS FOR PLAINTIFF'S EXPERT**

2 **A. Dr. Alan Cox**

3 Mr. Cox will discuss his numerous qualifications to be an expert in this case. Generally,  
 4 Mr. Cox will offer testimony consistent with his written expert report. Among other things, Mr.  
 5 Cox will address the economic consequences of Defendants' trademark infringement and unfair  
 6 competition and the appropriate methods for calculating the allowed remedies. Mr. Cox will  
 7 testify about the background facts and support for his opinions on the damages that Plaintiff  
 8 sustained as a result of the alleged trademark infringement and unfair competition. Mr. Cox will  
 9 testify that SINCO's damages are \$71.6 million dollars and foreseeable future losses. Mr. Cox  
 10 will testify as to his opinion that SINCO suffered lost sales of \$238.3 million between January 1,  
 11 2016 and December 31, 2018 as a direct result of the alleged trademark infringement and unfair  
 12 competition. Mr. Cox may also offer rebuttal testimony to Defendants' expert damages witness,  
 13 to the extent allowed based on Plaintiff's *in limine* motion. A copy of Mr. Cox's curriculum vitae  
 14 is attached as Appendix A. Mr. Cox's Report and Supplemental Report are listed in the Exhibit  
 15 List as Exhibits 398 and 399, respectively.

16  
 17 Dated: October 20, 2021

Respectfully submitted,

18 ROPERS MAJESKI PC

19  
 20 By: /s/ Lael D. Andara

21 LAEL D. ANDARA

Attorney for Plaintiff

22 SINCO TECHNOLOGIES PTE LTD